

01/31/2007 15:57 2148660010

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PAGE 01/07

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INTELLECTUAL PROPERTY LAW

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**Fax**

DATE: January 31, 2007

TO	Box / Fax No.	RE:
<b>US Patent and Trademark Office</b>	<b>571-273-8300</b>	<b>Serial No.</b> 10/577,540 <b>Filing Date:</b> Nov 14, 2003 <b>Inventor:</b> Anthony, et al.
<b>FROM</b>	Daniel J. Chalker dchalker@chalkerflores.com	
<b>DIRECT LINE</b>	214-866-0001	
<b>DIRECT FAX</b>	214-866-0010	
<b>CLIENT/MATTER NO.</b>	SHAP:1001	
<b>TOTAL PAGES (including cover)</b>	7	
<b>Customer No.</b>	34,725	

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**Comments**

Attached for filing please find:

- |  |          |
|--|----------|
| 1. PTO Transmittal Form                    | - 1 pg.  |
| 2. PTO Fee Transmittal                     | - 1 pg.  |
| 3. PTO Form 2038                           | - 1 pg.  |
| 4. Response to Notice of Insufficient Fees | - 1 pg.  |
| 5. PTO Notice of Insufficient Fees         | - 2 pgs. |

Thank you,

Daniel J. Chalker, Reg. No. 40,552

Re-sent - PTO fax confirmation  
 Listed only 3 pages.

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2711 LBJ Freeway, Suite 1036

Tel: 214.866.0001

PAGE 1/1 \* RCVD AT 1/31/2007 5:00:04 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-3/20 \* DNI:2738300 \* CSID:2148660010 \* DURATION (mm:ss):02:16:0

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0661-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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FORM**

(to be used for all correspondence after initial filing)

Application Number 10/577,540

Filing Date Nov 14, 2003

First Named Inventor Anthony, et al.

Art Unit 1754

Examiner Name

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Total Number of Pages in This Submission

7

Attorney Docket Number SHAP:1001

**ENCLOSURES (Check all that apply)**

- Fee Transmittal Form  
 Fee Attached  
 Amendment / Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Reply to Missing Parts/  
Incomplete Application  
 Reply to Missing Parts under  
37 CFR 1.52 or 1.53

- Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

- After Allowance communication to (TC)  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):

Fax Transmittal; Response to Notice of Insufficient Fees; Copy of PTO Notice of Insufficient Fees; PTO Form 2038

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Chalker Flores LLP		
Signature			
Printed name	Daniel J. Chalker		
Date	January 31, 2007	Reg. No.	40,552

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Daniel J. Chalker		Date January 31, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2006** Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**130.00****Complete if Known**

Application Number	10/577,540
Filing Date	Nov 14, 2003
First Named Inventor	Anthony, et al.
Examiner Name	
Art Unit	1754
Attorney Docket No.	SHAP:1001

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**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues) **Fee (\$)** **Small Entity**  
 Each independent claim over 3 (including Reissues) **Fee (\$)** **Small Entity**  
 Multiple dependent claims **Fee (\$)** **Small Entity**

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 2D or HP =	x 25.00	=		50	25	
HP = highest number of total claims paid for, if greater than 20.				200	100	
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**Non-English Specification, \$130 fee (no small entity discount) **Fee Paid (\$)**Other (e.g., late filing surcharge): **Oath/Declaration Surcharge for large entity** **130.00****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 40,552	Telephone 214-868-0001
Name (Print/Type)	Daniel J. Chalker		Date 01/31/2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 80 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. : 10/577,540 Confirmation No. 9837  
Applicant : Anthony, et al.  
Filed : November 14, 2003  
TC/A.U. : 1754  
Examiner :  
Docket No. : SHAP:1001  
Customer No. : 34,725

JAN 31 2007

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

This is in response to a Notice of Insufficient Fees dated January 17, 2007 in the above-referenced matter. Enclosed please find a copy of the Notice of Insufficient Fees and PTO Form 2038 for \$130.00 to complete the filing requirements of the above-identified application.

If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below as soon as possible.

Dated: January 31, 2007

Respectfully submitted,



Daniel J. Chalker  
ATTORNEY FOR APPLICANTS  
Registration No.: 40,552

Chalker Flores, LLP  
2711 LBJ Freeway, Suite 1036  
Dallas, TX 75234  
214.866.0001 Telephone  
214.866.0010 Facsimile

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UNITED STATES PATENT AND TRADEMARK OFFICE

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 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,540	Edward J. Anthony	SHAP:1001
INTERNATIONAL APPLICATION NO.		
PCT/CA03/01760		
I.A. FILING DATE		PRIORITY DATE
		11/14/2003
CONFIRMATION NO. 9837		
371 FORMALITIES LETTER		
 *OC000000022014775*		

Date Mailed: 01/17/2007

**Notification of Insufficient Fees (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/28/2006
- Copy of the International Search Report filed on 04/28/2006
- Information Disclosure Statements filed on 04/28/2006
- Oath or Declaration filed on 09/25/2006
- U.S. Basic National Fees filed on 04/28/2006

02/02/2007 MKAYPAGH 00000085 10577540

01 FC:1617 130.00 OP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,540	PCT/CA03/01760	SHAP:1001

FORM PCT/DO/EO/923 (371 Formalities Notice)